

# FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION



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March 5, 2004

Mr. Billy Cypress, Chairman  
Miccosukee Tribe of Indians of Florida  
Post Office Box 440021  
Tamiami Station  
Miami, FL 33144

Dear Chairman Cypress,

On behalf of the Florida Fish and Wildlife Conservation Commission (FWC), U. S. Fish and Wildlife Service (FWS), and U. S. National Park Service (NPS), we recognize and respect your decision, conveyed in your March 3, 2004 letter, not to meet with us to develop a cooperative approach to resolving the panther situation near Pinecrest in the Big Cypress National Preserve (BCNP). We would like to extend our continued willingness to meet with you or your staff at any time to address this issue and work cooperatively toward a mutually acceptable resolution.

This letter also provides a more detailed response to your earlier letters regarding the frequent sightings of Florida panthers in the Pinecrest area of BCNP near the Loop Road Environmental Education Center (LREEC). The FWC, FWS, and NPS share your concerns about this situation. We acknowledge the Miccosukee Tribe of Indians of Florida's (Tribe) viewpoint in this matter and, after much deliberation, have reached the position outlined in this letter.

Reports of panthers at the Pinecrest and LREEC area began with sightings of a panther family group, a female with two or three kittens, that had occurred in the fall of 2003 and additional sightings of a single panther on three consecutive days between December 7-9, 2003. The BCNP and FWC responded by sending staff to the area for field investigation, and concluded that there was not enough evidence to determine whether the sightings were of a known family group of panthers (an adult female with two to three kittens) or the family group plus an additional adult panther. Staff provided their contact information in the event that the panthers were again sighted and developed recommendations for minimizing potential conflicts between panthers and people, in part based on the approaches used by western states.

Nearly two months elapsed before the next sightings of the Pinecrest panther(s) which occurred January 29-31, 2004. These sightings were of a single individual and were reported to both the BCNP and FWC. Staff returned to Pinecrest on January 31, saw a panther on Loop Road near the LREEC, and subsequently determined that this panther was a female. Furthermore, staff concluded that an apparent lack of concern by this panther to the presence of people was not

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typical behavior for the species, but also noted that the frequent presence of panther prey in the area might contribute to the panther's return visits. At no time has the FWC, FWS, or NPS had any indications that the Pinecrest panthers have acted in an aggressive manner.

The FWS, NPS, and FWC cooperatively developed a course of action specific to the Pinecrest panther situation. First, we identified both short- and long-term solutions that we believe will minimize any problems associated with panthers whose home ranges occur along Loop Road. Second, the FWC and NPS provided staff to monitor the area, and the BCNP began its panther capture work in the Loop Road area in February. Because of this monitoring and good fortune, the BCNP capture team was successful in capturing, drawing genetic samples from, and placing radiocollars on a panther family group comprised of an adult female and two 10-month-old kittens, one male and one female. The blood samples collected from these three panthers have been submitted to the National Cancer Institute. We are waiting for the genetic results and will provide them to you as soon as they are received. One or more individuals from the captured family group most likely are responsible for the panther sightings along Loop Road. Finally, the BCNP, FWC, and FWS are educating visitors and residents about living in panther country. These educational efforts have stressed a balanced approach that provides for both public safety and the needs of an endangered species.

The panthers in the family group that was captured and radiocollared in the LREEC area are being intensively monitored to determine their locations, movement patterns, and home range. The FWS, NPS, and FWC concur that, if any of the individuals in the family group linger within 100 yards of the LREEC or any residence along Loop Road, dogs or other techniques will be used as a means of aversive conditioning. Our goal is to make the panthers leave the immediate area and to discourage them from associating with people or areas used by people. If any of these individuals return and linger after a second treatment of aversive conditioning, the offending panther(s) will be removed. First options for removal could include relocation to other suitable habitat in panther range, including within BCNP, or placement in a captive facility. We stress that, under any conditions, if a clear threat to human safety is identified, the offending panther(s) will be removed. Also, we emphasize that, according to 50 CFR Part 17.21(c)(2), "... any person may take endangered wildlife in defense of his own life or the lives of others..., and.... Any taking pursuant to paragraph (c)(2)...of this section must be reported in writing to the U. S. Fish and Wildlife Service, Division of Law Enforcement...within 5 days." However, we advise that any such incidents will be investigated thoroughly.

The LREEC and adjacent private residences are situated along an upland ridge vegetated with hardwood hammocks and pinelands. These habitats are attractive to panthers and their prey, particularly during periods of heavy rain when the adjacent wetland habitats carry significant surface water. FWS, NPS, and FWC will work together to implement modifications to the LREEC grounds to prevent deer and other prey species from congregating. We take this situation very seriously, and we are encouraging residents to do the same by removing any deer

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and wild hog attractants that, in turn, also may attract panthers. The FWC's nuisance bear policy and many western states' cougar policies are built upon the concept of removing attractants as an effective means of managing problem situations, and we believe this approach will work for panthers.

In summary, we believe that the cooperative efforts among the FWC, FWS, and NPS have resulted in the implementation of a sound, comprehensive approach to resolving the current situation between the Pinecrest panthers and the public. Our first priority remains ensuring public safety; however, we have endeavored to enact an approach that ensures human safety while also conserving this highly endangered species. In this regard, we invite the Tribe to designate an individual to join our staff in monitoring and tracking the panthers in the Pinecrest area. The Tribe is an important conservation partner in South Florida. We welcome your assistance in further refining our Pinecrest panther management strategy and your participation in developing an overall policy for responding to similar situations in the future.

Sincerely,



Kenneth D. Haddad  
Executive Director

kdh/te/pm

cc: Carol Clark, BCNP  
Sam Hamilton, FWS  
Patricia Hook, NPS  
Rodney Barreto, FWC